

VIRGINIA:

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA**

Richmond Division

RASHAD J. MOSELEY,)	Case No.: 3:21cv469
)	
Plaintiff,)	
)	
v.)	
)	
SHANNON L. TAYLOR, Commonwealth's)	
Attorney for Henrico County,)	
)	
Defendant.)	

COMPLAINT

COMES NOW the Plaintiff, Rashad J. Mosely, and moves for judgment against the Defendant, Shannon L. Taylor, pursuant to 42 U.S.C §1983 and the Fifth Amendment to the United States Constitution, on the grounds and in the amount set forth below:

1. The Plaintiff in this matter is a resident of Henrico County, Virginia and the owner of a 2018 Hyundai Elantra motor vehicle the VIN Number of which is 5NPD54LF0JH246438.
2. The Defendant in this matter is the Commonwealth's Attorney for Henrico County.
3. On or about June 23, 2021, the Plaintiff was the victim of an armed robbery in Henrico County, Virginia.
4. The assailants who perpetrated the aforementioned robbery were quickly apprehended at the scene and the Plaintiff's vehicle, the aforementioned 2018

Hyundai Elentra, was impounded with the consent of the Plaintiff in order to obtain evidence relevant to the robbery.

5. The detectives assigned to investigate the robbery assured the Plaintiff that his vehicle would be returned to him once the evidence relevant to the robbery was obtained.
6. Approximately one week after the robbery, the detectives assigned to investigate the robbery told the Plaintiff that they had gathered the relevant evidence from the vehicle but that the vehicle would not be returned to him by order of the Commonwealth's Attorney. The Plaintiff was further told that his vehicle would be held by the Commonwealth for an indefinite period of time.
7. The Plaintiff did not consent to the continued use of his vehicle by the Commonwealth.
8. Upon information and belief, the Defendant is holding the Plaintiff's vehicle under color of state law.
9. The use of the Plaintiff's vehicle without the consent of the Plaintiff constitutes a taking by the government.
10. The Plaintiff has not received any compensation to date by the government for the use of his vehicle.
11. The Plaintiff is currently paying approximately \$405 per month on a note held to secure the purchase of the vehicle.

WHEREFORE the Plaintiff demands judgment as follow:

1. An Order returning to him his 2018 Hyundai Elantra or, in the alternative;
2. Compensation for the use of his 2018 Hyundai Elantra;
3. Attorney's fees pursuant to 42 U.S.C. §1983 and costs expended in this matter.

Rashad J. Moseley
By counsel:

/s/

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed using the EFC the 21st day of July, 2021.

/s/
Horace F. Hunter, Esq.